

§ 810.6

will be of primary benefit to the general public rather than to the requester. In that case, fees may be waived. Fees shall not be charged where they would amount to less than \$3.00.

(b) The following charges shall be assessed:

(1) Copies of documents—\$0.10 per page.

(2) Clerical searches—\$1.00 for each one quarter hour in excess of the first quarter hour spent by clerical personnel in searching for requested records.

(3) Professional searches—\$2.00 for each one quarter hour in excess of the first quarter hour spent by professional or managerial personnel in determining which records are covered by a request or other tasks that cannot be performed by clerical personnel.

(c) Where it is anticipated that fees may amount to more than \$25.00, the requester shall be advised of the anticipated amount of the fee and his consent obtained before the request is processed. The time limits for processing the request under § 810.3 shall not begin to run until the requester's written agreement to pay the fees has been received. In the discretion of the Administrative Officer, advance payment of fees may be required before requested records are made available.

(d) Payment should be made by check or money order payable to the Advisory Council on Historic Preservation.

§ 810.6 Exemptions.

(a) The Freedom of Information Act exempts from disclosure nine categories of records which are described in 5 U.S.C. 552(b).

(b) When a request encompasses records which would be of concern to or which have been created primarily by another Federal agency, the record will be made available by the Council only if the document was created primarily to meet the requirements of the Council's regulations implementing section 106 of the National Historic Preservation Act or other provisions of law administered primarily by the Council. If the record consists primarily of materials submitted by State or local governments, private individuals, organizations, or corporations, to another Federal agency in fulfillment of re-

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quirements for receiving assistance, permits, licenses, or approvals from the agency, the Council may refer the request to that agency. The requester shall be notified in writing of the referral.

PART 811—CONFLICTS OF INTEREST

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811.11 Definitions.

AUTHORITY: E.O. 11222; 5 CFR parts 734, 735, and 738; Pub. L. 95–521 Ethics In Government Act, (5 U.S.C. 301).

SOURCE: 47 FR 25520, June 14, 1982, unless otherwise noted.

§ 811.1 General provisions.

(a) *Purpose.* These regulations set forth Council policies and identify principle laws and regulations that relate to member and employee conflict of interest responsibilities. The regulations are applicable to all members of the Council and their designees, both ex officio and appointed, and to all specified employees of the Council.

(b) *General policy.* Members and employees of the Council are expected to maintain high standards of honesty, integrity, impartiality, and conduct to ensure the proper performance of government business and the continual trust and confidence of citizens in their government. It is the intent of these regulations that members and employees avoid any action that might result in or create the appearance of (1) using public office for private gain; (2) giving preferential treatment to any organization or person; (3) impeding government efficiency or economy; (4) losing complete independence or impartiality of action; (5) making a government decision outside official channels; or (6) affecting adversely the confidence of